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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/812,997

03/31/2004

Anders Hanson

150-153

5230

7590

03/24/2009

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EXAMINER

LEE, LAURA MICHELLE

ART UNIT

PAPER NUMBER

3724

MAIL DATE

DELIVERY MODE

03/24/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/812,997	Applicant(s) HANSON, ANDERS	
	Examiner LAURA M. LEE	Art Unit 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/17/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/17/2009 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. Claim 7 is objected to because of the following informalities:

Claim 7, line 7 should be changed to "which intersects the opening..."

Appropriate correction is required.

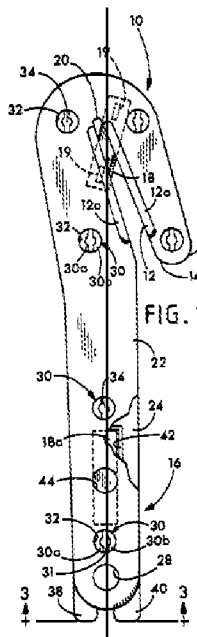
Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Anderson (U.S. Patent 5,282,316). Anderson discloses a safety knife for cutting lines or straps comprising a handle(22/24), a base arm and an extension arm (flanking ribs 12a and 12a), and a cutting device (razor blade, 18), wherein said extension arm curves from said base arm to establish an opening (slot, 12) between said base arm and said extension arm, wherein said cutting device (razor blade, 18) is arranged in said opening, and wherein the handle (22/24) of the safety knife has a longitudinal center axis which intersects the opening in which the cutting device is arranged (see below).



6. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Gorman (U.S. Patent 5,937,626). Anderson discloses a safety knife for cutting lines or straps comprising a handle(grip, 12), a base arm (arm, 56) and an extension arm (arm, 56'), and a cutting device (fixed blades, 48/48'), wherein said extension arm curves from said base arm to establish an opening (inlet opening) between said base arm and said extension arm, wherein said cutting device (48/48') is arranged in said opening, and wherein the handle (12) of the safety knife has a longitudinal center axis which intersects the opening in which the cutting device is arranged.

In regards to claim 2, Gorman discloses wherein said cutting device comprises two cutting elements (48/48') arranged in said opening (inlet opening) between said base arm (56) and said extension arm (56'), and wherein said cutting elements form substantially a V-shape.

In regards to claim 3, Gorman discloses wherein said handle comprises at least one aperture (indentations 22; see Figure 3) for holding said safety knife.

In regards to claim 4, Gorman discloses wherein said handle comprises at least one aperture (see Figure 3) for attaching a strap (rope, 64) for holding the safety knife.

In regards to claim 5, Gorman discloses wherein said handle comprises at least one projection (outer sheath, 20) for holding said safety knife.

In regards to claim 7, Gorman discloses a safety knife for cutting lines or straps comprising a handle (12), a base arm (56), an extension arm(56'), and a cutting device (48/48'), wherein said extension arm curves from said base arm to establish an opening (inlet opening) between said base arm and said extension arm, wherein said cutting device is arranged in said opening, and wherein the handle of the safety knife has a longitudinal center axis which intersects the opening in which the cutting device is arranged, said cutting device comprises two cutting elements (48/48') arranged in said opening between said base arm and said extension arm, and wherein said handle comprises at least one aperture (indentations 22; see Figure 3) for holding said safety knife, said handle further comprising an aperture (not numbered) for attaching a strap (rope, 64) for holding the safety knife, and wherein said handle comprises at least one projection (outer sheath, 20) for holding said safety knife.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gorman in view of Crawford (U.S. Patent 6,640,445). Gorman discloses the claimed invention except that the safety knife further comprises a float that is incorporated in or attached to the handle. However, attention is directed to the Crawford device that discloses a buoyant knife with a float (foam) that covers the outer surface of the handle to provide sufficient buoyancy such as to allow the entire knife to float when dropped or placed in water (abstract). It similarly would have been obvious to one having ordinary skill in the art at the time of the invention to have modified the handle of Gorman as taught by Crawford to incorporate a foam float so that the knife would float if dropped in water.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAURA M. LEE whose telephone number is (571)272-8339. The examiner can normally be reached on Monday through Friday, 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Laura M Lee/

Examiner, Art Unit 3724

03/17/2009

/Boyer D. Ashley/

Supervisory Patent Examiner, Art Unit 3724